

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H19-0453-20 **Applicant:** Mr Marshall
Proposal: Proposed triple garage
Location: Marshalls Farm 90 Luttongate Gedney Hill
Terminal Date: 24th December 2020

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01 Spatial Strategy
02 Development Management
03 Design of New Development
36 Vehicle and Cycle Parking
APPENDIX 6 Parking Standards

National Guidance

National Planning Policy Framework 2019

NPPF 2019.

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	0
WARD MEMBER	0	0	0	0

CASE OFFICER ASSESSMENT

Proposal

This is a householder planning application that seeks permission for proposed triple garage at 90 Luttongate, Gedney Hill, Spalding.

Site Description

The site is located approximated 835 metres to the south-east of Gedney Hill. It forms part of a row of properties on the eastern side of Luttongate. There is a wide range of designs, appearance and

ages along the road. The wider context is predominated by flat agricultural land and drains which characterise the Fenlands landscape.

The property was a former farmstead probably built late C19. The farmhouse is currently the main dwellinghouse. It is a traditional brick building onto the carriageway. The site access runs to the south-western wall. Further away, there are two outbuildings also in very close proximity to the road.

Subsequent additions have been observed to the rear. There is the remainder of original brick wall partially enclosing the immediate rear garden. Domestic garden extends to south-east and north-east.

History

H19-0890-10 - Reinstatement of house and conversion of attached barn into associated living accommodation - Approved

Consultation Responses

None.

Planning Considerations

Principle of development

The site lies on the countryside as set out in the South East Lincolnshire Local Plan (SELLP), 2019. Irrespective of spatial strategy considerations, the principle of developing a garage that is incidental to the enjoyment of a dwelling house is acceptable.

Section 38 (6) of the Town and Country Planning Act, as amended by the 2004 Act, states that the determination must be made in accordance with the development plan unless material considerations indicate otherwise. The key material considerations are addressed below.

Design and layout

Paragraph 127 of National Planning Policy Framework (NPPF), 2019 establishes that planning policies and decisions should ensure that developments will function well and add to the overall quality of the area; are visually attractive as a result of good architecture and sympathetic to local character and history, including the surrounding built environment and landscape setting; and create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users, among other considerations.

Likewise, Policy 2 of SELLP, 2019 goes on to say that considerations shall be met about size, scale, layout, density and impact on the amenity, trees, character and appearance of the area and the relationship to existing development and land uses. In this regard, Policy 3 of the SELLP states that design which is inappropriate to the local area, or which fails to maximise opportunities for improving the character and quality of an area, will not be acceptable.

The proposed garage will be developed in the form of an outbuilding. It will measure 10.82 metres in width, 9.10 metres in length and approximately 6.40 metres in apex height. The eaves will be 4.20 metres high. Having regard to the scale of adjoining buildings, it is considered that the proposed outbuilding will be commensurate with the built environment in its vicinity in terms of scale, mass and bulk.

Reclaimed bricks will be used to construct the outbuilding. The roof will be made of pantile tiles. Both gable ends will be in glazing. Vertical cladding will be installed on the upper section of the walls. The three garage doors will be of painted wood. The use of cladding and the glazing feature will enhance the design standards to a more contemporary appearance without detracting the vernacular character of the farmhouse. Likewise, the arched brick headers and the Tudor-styled features on the garage door refine the design and layout of the development.

In summary, the proposed development is commensurate with the house and other buildings in the vicinity. The use of the outbuilding will be ancillary to the enjoyment of the dwellinghouse. The design and layout is such that the form and appearance of development will be sympathetic with the rural character of the area. Therefore, this application complies with the aforementioned policies.

Car parking provision

In conjunction with Policy 36 of SELLP 2019, Appendix 6 sets out the minimum standards for parking provision upon the use class. The aim of these standards is to prevent on-street parking due to new development.

The maximum number of spaces required are three when dwellings with 4 or more bedrooms should be provided within the curtilage. Moreover, a garage can count as one space if it is 2.6m x 5.6m internal width.

In light of the internal dimensions of the three car spaces, the proposed development complies with Appendix 6 of SELLP.

Conclusion

Taking into account the considerations above, the proposal is considered to comply with Policies 1, 2, 3, 36 and Appendix 6 of the South East Lincolnshire Local Plan (SELLP), 2019; and Paragraph 127 of the National Planning Policy Framework (NPPF), 2019.

It is accordingly recommended to approve this planning application via delegated powers.

Additional Considerations

Public Sector Equality Duty

In making this decision the Authority must have regard to the public sector equality duty (PSED) under s.149 of the Equalities Act. This means that the Council must have due regard to the need (in discharging its functions) to:

A. Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act

B. Advance equality of opportunity between people who share a protected characteristic and those who do not. This may include removing or minimising disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic; taking steps to meet the special needs of those with a protected characteristic; encouraging participation in public life (or other areas where they are underrepresented) of people with a protected characteristic(s).

C. Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.

The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The PSED must be considered as a relevant factor in making this decision but does not impose a duty to achieve the outcomes in s.149. It is only one factor that needs to be considered, and may be balanced against other relevant factors.

It is not considered that the recommendation in this case will have a disproportionately adverse impact on a protected characteristic.

Human Rights

In making a decision, the Authority should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as South Holland District Council to act in a manner that is incompatible with the European Convention on Human Rights. The Authority is referred specifically to Article 8 (right to respect for private and family life) and Article 1 of the First Protocol (protection of property).

It is not considered that the recommendation in this case interferes with local residents' right to respect for their private and family life, home and correspondence, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general public interest and the recommendation is considered to be a proportionate response to the submitted application based on the considerations set out in this report.